

# 28

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b), 37 CFR 1.155(c) OR 37 CFR 1.316(c)

Docket Number (Optional)

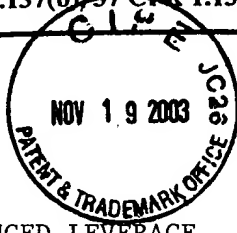
MCKITTRICK

First named inventor: McKittrick

Application No.: 09/073,643

Filed: 05/06/1998

Title: GARDEN TOOL HAVING ENHANCED LEVERAGE



Group Art Unit: 3671

Examiner: Petravick

RECEIVED

NOV 24 2003

OFFICE OF PETITIONS

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to the Office action mailed on 08/26/02, which set a 3 month/day period for response. The abandonment date of this application is 11/27/02 (i.e., the day after the expiration date of the period set for response plus any extensions of time obtained therefore).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proposed response and/or issue fee
- (3) Verified statement that the abandonment was unintentional

1. Petition fee

- ☒ Small entity - fee \$ 665 (37 CFR 1.17(m))  
☐ Small entity statement enclosed herewith.  
☐ Small entity statement previously filed.  
☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

2. Proposed response and/or fee

A. The proposed response and/or fee to the above-noted Office action in the form of Notice of Appeal & Oral Hearing (identify type of response):

- ☐ has been filed previously on \_\_\_\_\_  
☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_  
☐ is enclosed herewith.

Burden Hour Statement: This form is estimated to take 1 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

11/24/2003 AWONDAF1 00000055 09073643

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665.00 OP

3. Verified statement

The delay caused by the abandonment of the application was unintentional.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

11.18.03  
Date

H D Jaeger  
Signature

Telephone  
Number: (952) 475-1880

Hugh D. Jaeger, Reg. No. 27,270  
Typed or printed name

1000 Superior Blvd., Suite 302  
Address

Wayzata, MN 55391-1873

Enclosures: ☒ Response

☒ Fee Payment

☐ Small Entity Status Form

☐ \_\_\_\_\_

By completing the Certificate of Mailing, below, the date mailed will be considered the date this correspondence is filed.

CERTIFICATE OF MAILING [37 CFR 1.8(a)]

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Box DAC, Washington, DC 20231.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or printed name of person signing Certificate